

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JOANNE FESSETT, as parent and natural
guardian of Jessica Fessett,

Plaintiff,

-vs-

6:03-CV-1004

JO ANNE B. BARNHARDT, as Commission
of Social Security,

Defendant.

**Thomas J. McAvoy,
United States District Judge**

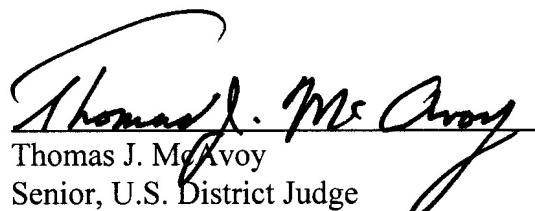
DECISION and ORDER

This matter was referred to the Hon. Randolph Treece, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the January 24, 2008 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein.

The Defendant's decision denying benefits is hereby AFFIRMED.

IT IS SO ORDERED.

Dated: March 25, 2008



Thomas J. McAvoy
Senior, U.S. District Judge